

## AIR TRANSPORT SERVICES

*Exchanges of notes at Tehran November 8 and December 17, 1945*

*Entered into force December 17, 1945*

*Replaced April 17, 1958, by agreement of January 16, 1957<sup>1</sup>*

Department of State files

*The Under Secretary of State for Foreign Affairs to the American Ambassador*

[TRANSLATION]

MINISTRY OF FOREIGN AFFAIRS

*November 8, 1945*

No. 5164

MR. AMBASSADOR:

As you know, the Imperial Government took favorable (active) part in the International Civil Aviation Conference in Chicago. However, according to the basic regulations of the Empire, the accords which were signed at the said Conference become definitive only when they have been ratified by the National Consultive Assembly (Majlis).

With regard to the proposed bilateral air transport agreement, the text of which was sent to the Imperial Ministry of Foreign Affairs as an enclosure to the United States Embassy's note No. 223 dated April 5, 1945, the following matters are brought to your attention.

1. With a view to strengthening the happy relations existing between our two Governments and establishing serial communications between our two countries, the Imperial Government has received the said proposed agreement with favor, and will be most pleased when it becomes possible to take the necessary decisions in this respect and to put these decisions into effect.

2. However, as a matter of general policy, the Imperial Government is refraining, prior to the departure of the last foreign soldier from Iran, from concluding an agreement of this kind with any foreign Government.

3. Under the circumstances existing at present, the Imperial Government, with a view to showing evidence of its goodwill towards the American Government and people, grants unexclusively and temporarily, and as an exception, to any American airline, which may be recommended and presented by the American Government, the permission for civil flight in Iran,

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<sup>1</sup> 9 UST 407; TIAS 4021.

and also permission for the planes of the said airline to land at Mehrabad airport for the purpose of technical and commercial needs and for the transport of passengers.

4. The American airline must furnish the Imperial Government in advance with complete information as to the flights scheduled, including the dates and hours of arrival in, and departure from, Iranian territory; and full information as to the markings and specifications of the planes to be used on this route. The Imperial Government must also be informed in advance of any changes in the schedules furnished.

5. Flights within Iran for the purpose of carrying goods, passengers, mail, et cetera, are the monopoly of the air services of the Iranian Government, and are outside the scope of the permission mentioned in paragraph numbered 3 of this note.

6. It goes without saying that the present air service between Tehran and Baghdad will be maintained as in the past, the Imperial Iranian Government being determined to extend and develop its air service between Iran and Baghdad, and to establish airlines to other countries in the Middle and Near East.

7. This permission which the Iranian Government has granted temporarily and unexclusively, and as an exception, for the establishment of an airline between Iran and America should in no way impair or harm the development of any Iranian national or international airlines which may be established in the future.

8. The following points will be considered and observed:

a. The authorized airplanes must, in each of the two countries, upon the occasion of arrival and departure, and during flights and stops, carry out and observe the laws and regulations of that country.

b. In order to make use of the landing fields and facilities needed by authorized planes, the airline to which the planes belong must pay the just and reasonable charges prescribed by the appropriate authorities of the country in which the planes are operating. Also, customs duties must be paid on shipments in accordance with the regulations of the country concerned.

9. Whenever the Imperial Government, or an Iranian aviation service presented by the Iranian Government, should wish to establish an aviation service between Iran and the United States, the provisions of articles 3, 4, 5, 8 and 10 of this note must also be applied to Iran.

10. This permission may be cancelled by either party on three months notice.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

MOHAMMED ALI HOMAYOUNDJAH

His Excellency WALLACE MURRAY,  
*United States Ambassador,  
Tehran.*

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*The American Ambassador to the Under Secretary of State for Foreign Affairs*

No. 209

TEHRAN, November 8, 1945

EXCELLENCY:

I have received Your Excellency's note No. 5164 dated November 8, 1945, the text of which is hereunder quoted, and with which I agree:

[For text of Iranian note, see above.]

Accept, Excellency, the assurance of my highest consideration.

WALLACE MURRAY

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*The American Ambassador to the Under Secretary of State for Foreign Affairs*

No. 210

TEHRAN, November 8, 1945

EXCELLENCY:

I have the honor to inform Your Excellency that it is my understanding that your note No. 5164 of November 8, 1945, which Your Excellency signed and delivered to me today, and my note No. 209 of the same date, are to be regarded by both of us as inoperative until such time as I am in a position to inform Your Excellency that the notes, provisionally exchanged, are considered definitive.

Accept, Excellency, the renewed assurances of my highest consideration.

WALLACE MURRAY

His Excellency

MOHAMMED ALI HOMAYOUNDJAH,  
*Under Secretary of State for Foreign Affairs,  
Tehran.*

*The Under Secretary of State for Foreign Affairs to the American Ambassador*

[TRANSLATION]

MINISTRY OF FOREIGN AFFAIRS

No. 5165

*November 8, 1945*

MR. AMBASSADOR:

I have received your note No. 210 of November 8, 1945, and wish to inform you that I agree with the contents thereof.

I avail myself of this opportunity to renew the assurances of my highest consideration.

MOHAMMED ALI HOMAYOUNDJAH

To

HIS EXCELLENCY WALLACE MURRAY,  
*United States Ambassador,  
Tehran.*

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*The American Ambassador to the Minister of Foreign Affairs*

No. 259

TEHRAN, *December 17, 1945*

EXCELLENCY:

I have the honor to inform Your Excellency that I have been authorized by my Government to notify the Imperial Government of Iran of its acceptance of the Interim Air Transport Agreement between our respective Governments, the terms of which were set forth in note No. 5164 which His Excellency Mohammed Ali Homayoundjah, the Under Secretary of State for Foreign Affairs, addressed to me on November 8, 1945, and in my note No. 209 of the same date in response thereto.

It is my understanding that the Agreement in question may be considered as effective as of the date of notification of my Government's acceptance, that is to say, as of the date of this note.

Accept, Excellency, the renewed assurance of my highest consideration.

WALLACE MURRAY

His Excellency

ABOL QASEM NAJM,  
*Imperial Minister of Foreign Affairs.*